



BOARD OF PUBLIC WORKS & SAFETY JANUARY 19, 2006 MINUTES

Mayor Charles Henderson called the meeting to order at 6:00 p.m.

PRESENT:	Board members Warren Beville, Mayor Henderson, Kevin Hoover; Clerk-Treasurer Jeannine Myers; City Attorney Shawna Koons-Davis; and Director of Engineering Paul Peoni.
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Mr. Beville moved that the minutes of the regular session of January 6th be approved as presented. Second by Mr. Hoover. Vote: Ayes.

Chief Information Officer Rick Jones brought to the Board an agreement for a Xerox copier and new color laser printer for the City Court. This is similar to other agreements – a 48-month lease at \$304.20 per month. The new machine replaces an existing copier, printer and fax machine and thus reducing overall maintenance. Mr. Jones noted that the new device will add the capabilities of “Network Printing”, “Network Scanning”, and “Scan to Email”.

Mr. Jones next described an incident involving the GEMS financial software. On December 21-22, 2005 a GEMS representative was at the Clerk-Treasurer’s office, instructing her staff on “year end” processing. During this time, all training took place in the “test” database, or non-production copy of our live data. Before this training began, the Information Technology staff made a backup copy of all the live financial data. On December 29th, the Clerk-Treasurer’s Office advised Information Technology personnel that they were seeing some “odd” entries in the General Ledger portion of the system. Investigation of these abnormalities suggested that the earlier training had taken place in the “live” database instead of the “test” side, thus incorrectly partially closing our financial records for 2005. On January 3, 2006 Mr. Jones had several phone conversations with GEMS, who advised him to run several reports to try to create a record of data that had been input since the problem occurred, and then to restore the database back to 12/21/05 from the backup that had been created. After several more phone conversations with GEMS on January 4th, Information Technology performed the data restore and the Clerk-Treasurer’s Office began the task of trying to recreate what had been entered since 12/21/05. GEMS suggested that Mr. Jones contact their Technical Support group to have them check the environment variables in our system. While waiting for a return call, Information Technology checked the variables themselves and found them to be incorrect. The “test” user screens were pointing to the “live” database. The GEMS Technical Support group confirmed these findings. As these settings are in an area that is not normally accessed by any Greenwood personnel, Information Technology feels that these were improperly set through the negligence of the GEMS technician during the upgrade in August, 2005.

On this issue, Arnold Kaptain, Manager of the Sanitation Billing Office, described the staff time lost in tracking and restoring data. The Clerk-Treasurer’s office has been working with the same problem. Whether in real dollars or consulting time, Mr. Kaptain told the Board that they feel we should be compensated. Mr. Jones told the Board that we may need more consulting hours when the Fixed Assets module is installed. By consensus, the Board authorized the City Attorney to investigate further and follow up with GEMS regarding reimbursement for staff time.

Aaron Hurt of Civil Design came forward to request a waiver of dry retention for the ALDI Warehouse Expansion. The project will involve adding roughly 111,000 square feet and a renovation of their offices. There is an existing dry retention area on the west side, noted Mr. Hurt, so they would basically be enlarging that for the expansion project. They received Plan Commission approval at the last meeting. Mr. Peoni indicated that the existing dry retention area has been in place for 15 or 20 years, has done a good job and has been well maintained. Mr. Hoover moved to grant the request to allow an expansion of the dry retention area as discussed. Second by Mr. Beville. Vote: Ayes.

On behalf of JP Morgan Chase, Terry Pastorino requested an alternative payment type for a financial guarantee. This is for a new branch at the corner of Emerson Avenue and County Line Road. They are proposing that the bank produce the check, give it to an escrow agent, who would then put it in deposit and allow it to collect interest. If the City were to decide to call that money in because of improvements that did not meet standards, we would have the ability to do that, said Mr. Pastorino, with the escrow agent. If all was acceptable at the end of the project, there would be a signoff between the bank and the City of Greenwood, which would then be presented to the escrow agent, who would then release the funds back to the bank. Mr. Pastorino described this arrangement as a combination of a letter-of-credit and an official check, with the distinction being that it would be held by a title company in escrow. In response to Mr. Hoover, Mr. Pastorino said stated that they feel that a letter-of-credit is hard to draw against the bank, and is like drawing against yourself. He added that it is hard for him to draw an official check out of the bank and hand to someone, while the funds being in an escrow account satisfy their attorneys. Mr. Pastorino replied to Mr. Peoni that a CD is out of the question. Mr. Pastorino explained that their company is very large and he has been trying for about a month to try one of the other three options listed by the City accepted. After numerous discussions with their legal department, he said, this is something they proposed. Mr. Peoni, in response to the Mayor, explained that an official check is held by the City in our lockbox until the work is completed and the company asks for a release of the check. If the City wants to draw down on the check, Mr. Peoni said that we would first contact the developer and give them a chance to resolve the issue. Ms. Koons-Davis told the Board that she had not had a chance to review the agreement, as she had been in a meeting all afternoon. Mr. Hoover explained that his concern was putting an escrow agent in the mix. The amount for dirtwork and storm sewers, erosion control and signs and monuments is \$31,240. There was discussion about the possibility of added difficulty in drawing down with this type of agreement. A guarantee must be posted before a land alteration permit is issued. After more discussion, since a process is in place, Mr. Hoover moved to deny the request for an alternative payment type for a guarantee. Second by Mr. Beville. Vote: Ayes.

Mayor Henderson indicated that he has been informed that the nuisance complaint at 3106 Kirkwood Court has been abated.

From the audience, Dawn Aker approached the Board about the water damage in her apartment and brought pictures along with a letter from the Health Department stating what needed to be replaced. At the last meeting the Board had asked for documentation. The Board examined these. The damage occurred October 21st. In response to Mr. Beville, she replied that she did not have pictures to send when she filed her claim. Mayor Henderson recounted that the Board had asked for documentation as to the cost of items she lost. Ms. Aker brought a list of the furniture and other items she lost. She noted that the tower for her computer was on the floor. Her mattress and box springs were on the floor as well. There was no documentation as to the cost. Ms. Aker told the Board she did not have renters' insurance and said that she had been told by State Farm that there is a flood clause that would have been necessary, which most people do not have. She estimated the cost of her furniture at about \$10,000. Insurance for the City has denied her claim, saying the City was not negligent in any way. The Mayor reiterated that the Board was not able to work with her verbal estimate and Ms. Aker replied that she does not have receipts. Mr. Hoover suggested that the Director of Operations might be able to assist in this and come back with a recommendation. Mr. Gabehart reported on the claim filed by the apartment complex. He recalled the clean-up and man hours totaling about \$5,000. The apartment complex has not filed another claim with him, beyond this clean-up and restoration claim. Mr. Gabehart will evaluate Ms. Aker's claim further.

Fire Chief Steve Dhondt came forward regarding the roof replacement and associated work for Fire Headquarters, Station 91. The Building Corporation had authorized payment and the Board of Public Works & Safety had authorized specifications. They received no bids, Chief Dhondt reported, partly because of the small scope of work he thought. Mr. Beville moved to authorize staff to begin preparations for another bid package for the roofing project at Station 91 and reject all old bids??. Second by Mr. Hoover. Vote: Ayes.

Charles Gould, forensic chemist with the Police Department Crime Lab brought a document for the Mayor's signature. This is for the fingerprint system that the Board authorized last March. The document basically changes the date of acceptance. The City Attorney explained that the equipment has to be made to fit certain specifications, so that when the equipment was delivered, the agreement has to be amended to put the date of acceptance, which will change the date that payments begin. Counsel added that the contract is in proper form. Mr. Hoover moved to approve the contract and to authorize the Mayor to sign. Second by Mr. Beville. Vote: Ayes.

Human Resource Director Bill Jackson discussed the workers' compensation renewal proposal prepared by Gregory & Appel. Coverage is written by the Accident Fund Insurance Company of America. David Stace of Gregory & Appel obtained a comparative proposal from Employees Security Insurance Company. Even with the deductible, the premium would be approximately \$138,000 noted Mr. Jackson, compared to \$99,153 offered by Accident Fund. This is \$383 higher than last year. He compared our experience modification history from 2005 (\$.84) to 2006 (\$.82). At his recommendation, Mr. Beville moved to renew the workers' compensation policy with Accident Fund, with Gregory & Appel as our agent of record for 2006. Second by Mr. Hoover. Vote: Ayes.

Ms. Koons-Davis had a handout concerning the Coseboon-Stroud property, a duplex at 1040-1044 North Meridian. The City had obtained a 25' easement for the Meridian Street project and actually used 10' since the scope of the project changed. The City Engineer recommended keeping an additional 5' to access for maintenance purposes. The City Attorney asked the Board's pleasure in reconveying the remaining 10' to the property owners. After discussion, Mr. Beville moved to direct staff to prepare documentation to reconvey 10' of the easement to the property owners. Second by Mr. Hoover. Vote: Ayes.

On his Status of Tasks, Mr. Peoni stated that 1st Indiana Bank in Greenwood Springs asked for acceptance of three performance bonds:

- 1) Bond# 08474353 for traffic control signs in the amount of \$1,133.
- 2) Bond# 08474352 for erosion control in the amount of \$6,668.
- 3) Bond# 08474351 for dirtwork and storm sewers in the amount of \$89,425.

The amount and improvements shown are correct. Mr. Hoover moved to accept the 1st Indiana Greenwood Springs performance bonds as described subject to final review and approval by the City Attorney. Second by Mr. Beville. Vote: Ayes.

Mr. Beville moved to accept the claims as presented through January 19, 2006. Second by Mr. Hoover. Vote: Ayes.

Mayor Henderson reminded the Board that the State of the City Address is Tuesday, January 24th at Valle Vista at 11:30 a.m.

With no further business, the meeting adjourned at 6:50 p.m.